

Community Development

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TO: City Council May 1, 2013

FM: Kamuron Gurol

RE: Summary of Council identified amendments to the Environmental Critical Areas (ECA) Regulations

Background:

The Council held several study sessions from early March through mid-April to review the Planning Commission's recommended amendments to the ECA regulations. Through the course of that review, Councilmembers identified several possible amendments that they will wish to consider as part of their deliberations.

The following is a list and brief description of the proposed amendment to the ECA regulations identified by each Council member, with a brief summary of the components associated with the proposed change to the regulatory policy.

Ramiro Valderrama-Aramayo:

- <u>Isolated / Small Wetland Flexibilities:</u> Deputy Mayor Valderrama-Aramayo has suggested the Council consider the following policy approach to small and isolated wetlands:
 - Establish a pilot program for 3 single family residence (SFR) projects anywhere in the city.
 - o Small wetlands under 4,000 square feet with a low habitat score
 - o Require the applicant to fund monitoring all water quality and effects.
 - Allow for mitigation by:
 - Participating in the King County fee-in-lieu mitigation program (prioritization given to in-City mitigation through interlocal with King County), or
 - Allowing on-site relocation of the wetland and associated wetland mitigation.

Tom Vance:

- <u>Erosion Hazard Near Sensitive Water Body overlay Pilot Program:</u> Councilmember Vance has suggested the Council consider the following policy approach to the Erosion Hazard near Sensitive Water Body (EHNSWB) overlay:
 - Do not adopt the pilot program for subdivision / development in the no-disturbance area.
 - As a component of the 2015 Comprehensive Plan Re-write process, undertake a zoning study that would consider a re-zone all properties in the no-disturbance area to R-1.
 - o Allow for subdivision of R-1 zoned properties in the no-disturbance area, provided:

- Storm mitigation is installed.
- Clustering to minimize impervious surfaces and clearing / grading within the nodisturbance area.
- Limit onsite impervious surface to avoid additional drainage discharge.
- Grandfather current zoned "lot yield" and allow sale of density TDRs as an alternative to subdivision at R-1 density.
- o Increase TDR receiving areas elsewhere in Sammamish such as the commercial zones.
- <u>Allowances for Existing Urban Development and Other Uses:</u> Councilmember Vance has suggested the Council consider not adopting the proposed amendments that would use the term "building" as opposed to "single family". As an alternative, allowances would be provided for expansions to existing single family residences.

Nancy Whitten:

- <u>Critical Aquifer Recharge Areas:</u> Councilmember Whitten has suggested the Council consider an
 amendment to prohibit the use of "vertical" geothermal wells within Class 1 and 2 Critical
 Aquifer Recharge Areas.
- <u>Stream and Wetland Fee-in-Lieu mitigation:</u> Councilmember Whitten has suggested the Council consider the following policy amendments:
 - Limiting the use of fee-in-lieu mitigation for streams and wetlands to city capital projects and single family homes. Fee-in-lieu mitigation would be prohibited for subdivisions and non-residential development.
 - Require that fee-in-lieu mitigation only be allowed if in the same sub-basin as the altered wetland or stream.
- <u>Erosion Hazard Near Sensitive Water Body overlay Pilot Program:</u> Councilmember Whitten has suggested the Council consider the following policy approach to amending the pilot program in the EHNSWB overlay:
 - Limit the number of pilot program projects to one short plat using a tightline to Lake Sammamish.
 - A second project may be authorized if it includes a volume control component
 - Limit the total project acreage to 10 acres.
 - o Limit the number of lots to an R-1 density in the no-disturbance area.
 - Limit impervious surface to 30% of the total site area.
 - Increase the percent of open space and tree retention within the subdivision
 - Locate new lots near the bottom of the no-disturbance area (e.g. within 200 feet of the "toe" of the no-disturbance area).
 - Require increased rainwater harvesting.
- Erosion Hazard Near Sensitive Water Body overlay expansions for single family homes on small lots: Councilmember Whitten has suggested the Council consider the allowing for single family homes to increase the footprint by up to 400 square feet (currently allowed by up to 200 square feet).